



General Assembly

February Session, 2006

Raised Bill No. 332

LCO No. 1612

* SB00332JUD 031406 *

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING TIME LIMITS FOR ACQUIRING RIGHTS TO
PROPERTY THROUGH ADVERSE POSSESSION.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 52-575 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) No person shall make entry into any lands or tenements but
4 within [fifteen] twenty years next after [his] such person's right or title
5 to the same first descends or accrues or within [fifteen] twenty years
6 next after such person or persons have been ousted from possession of
7 such land or tenements; and every person, not entering as aforesaid,
8 and [his] such person's heirs, shall be utterly disabled to make such
9 entry afterwards; and no such entry shall be sufficient, unless within
10 such [fifteen-year] twenty-year period, any person or persons claiming
11 ownership of such lands and tenements and the right of entry and
12 possession thereof against any person or persons who are in actual
13 possession of such lands or tenements, gives notice in writing to the
14 person or persons in possession of the land or tenements of the
15 intention of the person giving the notice to dispute the right of
16 possession of the person or persons to whom such notice is given and

17 to prevent the other party or parties from acquiring such right, and the
 18 notice being served and recorded as provided in sections 47-39 and 47-
 19 40 shall be deemed an interruption of the use and possession and shall
 20 prevent the acquiring of a right thereto by the continuance of the use
 21 and possession for any length of time thereafter, provided an action is
 22 commenced thereupon within one year next after the recording of such
 23 notice. The limitation herein prescribed shall not begin to run against
 24 the right of entry of any owner of a remainder or reversionary interest
 25 in real estate, which is in the adverse possession of another, until the
 26 expiration of the particular estate preceding such remainder or
 27 reversionary estate.

28 (b) If any person who has such right or title of entry into any lands
 29 or tenements is, at the time of the first descending or accruing of such
 30 right or title, a minor, non compos mentis or imprisoned, [he and his]
 31 the person and the person's heirs may, notwithstanding the expiration
 32 of such [fifteen] twenty years, make such entry and serve and record
 33 such notice at any time within five years next after full age, coming of
 34 sound mind or release from prison, or [his] the heirs shall, within five
 35 years after [his] the person's death, make such entry and serve and
 36 record such notice, and take benefit of the same.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	52-575

JUD ***Joint Favorable***